

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

JEANETTE F.,¹

Plaintiff,

v.

ANDREW M. SAUL,
Commissioner of Social Security,

Defendant.

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Civil Action No. 1:20-CV-00126-H-BU

**FINDINGS, CONCLUSIONS, AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Now before the Court is the Commissioner of Social Security's Unopposed Motion to Reverse and Remand. Dkt. No. 27. Through his motion, the Commissioner requests that the Court enter an order and judgment reversing the decision of the Administrative Law Judge and remanding this action for further administrative proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g). *Id.* at 1–2. Plaintiff does not oppose the motion.

Under a standing order of referral, this action was automatically referred to the undersigned United States magistrate judge for decisions as to non-dispositive matters and for findings and recommendations as to dispositive matters. Because the parties have not consented to the exercise of jurisdiction by the undersigned, the undersigned is required to file Findings, Conclusions, and a Recommendation with respect to all dispositive matters, including motions to remand pursuant to the fourth sentence of 42 U.S.C. § 405(g).

¹ To protect the privacy of plaintiffs in social security cases, the undersigned identifies Plaintiff only by first name and last initial.

After reviewing the Commissioner's unopposed motion and the applicable law, the undersigned finds that a hearing on this motion is unnecessary and recommends that the Commissioner's Unopposed Motion to Reverse and Remand (Dkt. No. 27) be GRANTED.

Accordingly, it is RECOMMENDED that the ALJ's decision be reversed and remanded for further administrative action pursuant to the fourth sentence of 42 U.S.C. § 405(g) and consistent with the Commissioner's motion.

A copy of these Findings, Conclusions, and Recommendation shall be served on all parties in the manner provided by law. Any party who objects to any part of these Findings, Conclusions, and Recommendation must file specific written objections within fourteen days after being served with a copy. *See* 28 U.S.C. § 636(b)(1) (2017); Fed. R. Civ. P. 72(b). To be specific, an objection must identify the specific finding or recommendation to which objection is made, state the basis for the objection, and specify the place in the magistrate judge's Findings, Conclusions, and Recommendation where the disputed determination is found. An objection that merely incorporates by reference or refers to the briefing before the magistrate judge is not specific. Failure to file specific written objections will bar the aggrieved party from appealing the factual findings and legal conclusions of the magistrate judge that are accepted or adopted by the district court, except upon grounds of plain error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1417 (5th Cir. 1996).

SO ORDERED this 28th day of June, 2021.



JOHN R. PARKER
UNITED STATES MAGISTRATE JUDGE